

Application No.: 10/024,143
Amdt. Dated: October 10, 2006
Reply to Office Action Dated: July 10, 2006

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REMARKS

Claims 4, 5, 6 and 7 are pending. Claims 4 and 5 have been amended without prejudice or disclaimer of the subject matter contained therein. Support for the amendments to claims 4 and 5 may be found at least in paragraph [0128] of the application.

Reexamination of the application and reconsideration of the rejection are respectfully requested in view of the above amendments and the following remarks, which follow the order set forth in the Office Action.

Claims 4-7 were rejected under 35 U.S.C. § 112, first paragraph, as not enabled by the specification. According to the Office Action, the examiner asserts that the instant claim set is only enabled such that the [R'-X] residue has a structure wherein "X" is "NR" and "R" is CH(Z)-CO-. *Office Action mailed July 10, 2006, page 4.* The Office Action further states that "R" can be any of the alkyl, alkenyl, alkynyl, or aryl groups as long as they are consistent with [R'-X] being an amino acid residue and "n" begin an integer between 0 to 10. *Office Action mailed July 10, 2006, page 5.* The claims have been amended without prejudice or disclaimer in accordance with the assertions of the examiner in order to expedite prosecution of the application and without acquiescence in the propriety of the rejection made. In view of the amendments to the claims, Applicants submit that the rejection is now moot and respectfully request that this rejection be withdrawn.

For the foregoing reasons, claims 4, 5, 6 and 7 are considered allowable. A Notice to this effect is respectfully requested. If any questions remain, the Examiner is invited to contact the undersigned at the number given below.

Respectfully submitted,

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 10, 2006

Jennie Snead
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(Signature of Person Signing Certificate)

Date of Signing: October 10, 2006